

**IDAHO BOARD OF MASSAGE THERAPY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 5/23/2016**

**BOARD MEMBERS PRESENT:** Gayla Nickel - Chair  
Paul J Weston  
Gail L King  
Linda A Chatburn  
Deborah Karren

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Jean Uranga, Prosecutor  
Erin Anderson, Technical Records Specialist I

**OTHERS PRESENT:** Jason Chase  
Jasmine Kinney  
Carleen Duncan  
Jed Adamson  
Lydia Benson  
Dawn Valadez  
Kyle Sheldon  
Laura Embleton, ABMP  
Kamiah Williams  
Sharla Johnson  
Randy Young  
Tracie Bent, Idaho State Board of Education  
Matt Freeman, Idaho State Board of Education  
Becky Olinger, AMTA-Idaho  
Megan Fink, LMT  
Katie Williams, LMT  
Kate Deters, LMT  
Jason Ellen, LMT  
Bibiana Aras, Elements  
Wendi Phelps, LMT  
Anthony Catalano, Three Oaks Academy  
Cynthia Mason, Idaho School of Massage  
Therapy and Three Oaks Academy  
Susan Beck, Idaho State University

The meeting was called to order at 8:32 AM MDT by Gayla Nickel.

### **APPROVAL OF MINUTES**

Ms. King made a motion to approve the minutes of 1/19/2016 and 2/16/2016. It was seconded by Ms. Chatburn. Motion carried.

Ms. King made a motion to approve the minutes of 3/7/2016 with noted corrections. It was seconded by Ms. Chatburn. Motion carried.

### **LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She reminded the Board that law change proposals would need to be submitted by August 1, and any proposed rule changes would need to be submitted by the third week of August to the Governor's Office for the 2017 Legislature.

Ms. Cory said that the number of complaints went up by about 34% from last year, and asked the Board to consider this when discussing fees.

### **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$226137.56 as of 5/23/2016.

### **DISCIPLINE**

Ms. Uranga presented a memorandum regarding case numbers MAS-2016-4, MAS-2016-6, and MAS-2016-7. After discussion, the Board gave its recommendation for appropriate discipline.

Ms. Uranga presented case number MAS-2016-8. Ms. Chatburn made a motion to close this case with a warning letter and to refer the matter to the Idaho Board of Nursing. It was seconded by Ms. King. Motion carried.

### **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

### **FOR BOARD DETERMINATION**

Ms. Chatburn made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-MAS-2016-7 and I-MAS-2016-18. It was seconded by Ms. King. Motion carried.

## **OLD BUSINESS**

Ms. Chatburn gave a brief update of HB 519. This bill, which passed in the 2016 Legislature, allows a student to participate in a tuition credit program with the school, creates the ability to decide the fees for a provisional and permit and a temporary license, and allows the Board to write rules for a provisional permit and temporary license. Idaho Code 54-4002, the definitions, previously stated that students were not allowed to receive any form of compensation prior to licensure. In HB 519, the definition of compensation was changed to reflect that a student working within the school's student clinic in a tuition work off credit program could do so. The Board still needs to determine whether the student will require a provisional permit while participating in this program.

Mr. Ellsworth explained to the Board the difference between a temporary license and a permit. A temporary license is typically issued to someone who may have met all the requirements for licensure and is pending Board review. This type of applicant may have an employment opportunity pending. A provisional permit is generally issued to a person who is still completing some of the requirements for full licensure; for example the applicant is participating in the tuition credit program or waiting to take the exam. A provisional permit holder would be required to work under the direction of a supervisor.

Ms. Cory discussed the registration of schools. The schools currently register with the Idaho State Board of Education. The school's curriculum is not reviewed by the Board and some do not adhere to the Idaho Board of Massage Therapy's educational requirement of Rule 600. Ms. Traci Bent with the Idaho State Board of Education addressed the Board. Her agency is requesting that the Board consider taking over the regulation of massage therapy schools. Ms. Bent was asked if there were minimum educational requirements that a school had to meet, if the SBOE would want to continue to regulate the registration of massage therapy schools. Ms. Bent stated her department does not feel the massage therapy schools should remain under the regulation of the SBOE. Mr. Matt Freeman also addressed the Board, discussing SBOE's current approval process of massage therapy schools, noting that massage therapy schools are the only schools the SBOE registers where the profession has a separate governing body.

Ms. Nickel noted that if the Board handled the registration of schools, a school could apply with the Board to have its curriculum reviewed and approved by the Board. By becoming a Board approved curriculum school, a student could be assured they will receive the appropriate training in accordance with the Board's licensure laws and rules. When the Board is reviewing applications for licensure, it will know that school's curriculum has been approved, and that may speed up application approval.

Ms. King made a motion to authorize a sub-committee to be formed. This committee will consist of Ms. King, Mr. Weston, school owners who have volunteered, and the Idaho State Board of Education, to further study the matter. The purpose of the committee is to draft rules regarding the tuition credit program, and to discuss the regulation of massage therapy schools. It was seconded by Ms. Karren. Motion carried. Ms. Nickel informed the sub-committee members that anything presented by the Board would be required to be complete by August 1<sup>st</sup>.

Mr. Ellsworth explained the difference between registration and licensure. Registration means that the applicant provided certain information, and the applicant becomes registered. Licensure indicates that specific qualifying criteria were provided, and evaluated, it implies a certain level of qualifications that registration may not imply. Mr. Ellsworth also stated that if schools are registered with the Board instead of licensed, the Board may be limited in its authority to place requirements on the schools.

Ms. Hall presented to the Board several fee reduction options. The Board discussed the suggested changes. Mr. Toryanski presented to the Board draft changes to Rule 250 to reduce fees and add a provisional permit and a temporary license. Mr. Toryanski also provided to the Board the proposed verbiage adding Rule 320, defining a provisional permit, and Rule 330, defining a temporary license. Mr. Toryanski informed the Board that he also updated Rule 300.04 to remove the grandfather licensure requirements. Mr. Toryanski will update the proposed rules and present them at the next meeting.

To Do List – The Board reviewed the to-do list and no further action was taken.

## **NEW BUSINESS**

### **CERTIFICATE OF PROFESSIONAL EDUCATION FORM**

Ms. King requested the Board discuss this form and its availability for use by schools. It was determined that the form would no longer be applicable once the provisional permit or temporary license is implemented by the Board.

### **FEDERATION OF STATE MASSAGE THERAPY BOARDS**

The Board discussed its membership with FSMTB. The Board chose to remain members. Ms. Chatburn made a motion to approve the payment of the annual membership fee of \$1365.20. It was seconded by Ms. King. Motion carried.

## **ITEC**

Mr. Weston informed the Board that he did not have anything to report about for ITEC. The Board requested that Ms. Sally Hacking be invited to visit with them at a future meeting.

## **CONTINUING EDUCATION COURSE APPROVAL LETTER**

The Board discussed the process of requiring that a CE provider application form be submitted for all requests to approve CE. The Board has asked individuals who have submitted CE for audit or reinstatement to fill out the CE approval forms. The Board reviewed a letter Ms. Anderson drafted to assist individuals with this process. The Board made their suggested changes and authorized Ms. Anderson to use the letter.

## **EXECUTIVE SESSION**

Ms. Chatburn made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. King. The vote was: Ms. King, aye; Ms. Chatburn, aye; Ms. Karren, aye; and Ms. Nickel, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Chatburn. The vote was: Ms. King, aye; Ms. Chatburn, aye; Ms. Karren, aye; and Ms. Nickel, aye. Motion carried.

## **APPLICATIONS**

Ms. Karren made a motion to approve the following for licensure:

MAS-2799	CUIHUA YANG
MAS-2882	MICHELLE JOBE
MAS-2883	REBECCA REX
MAS-2797	JULIE SINGLETON
MAS-2879	ELIZABETH EVANS
MAS-2885	ATIKHOM WATTANAMONGKOLSIRI
MAS-2815	ROSALIE OWENS
MAS-2853	MEIYI LAO
MAS-2861	MU CHEN
MAS-2858	KASSONDRA METAS
MAS-2877	SHELLEY MEHR
MAS-2812	ALEXANDRA MORAN
MAS-2805	TIM GILREATH
MAS-2821	NATALIE MAYBEE

MAS-2827	JOSHUA ROBINSON
MAS-2844	SHEA GIFFORD
MAS-2798	LAURA ELLIOTT
MAS-2822	ALYSSA HANSEN
MAS-2802	BENJAMIN MOORE
MAS-2804	LETTIA MCBRIDE
MAS-2837	LAURIE GUNWALL
MAS-2835	NICOLE SHEPHERD
MAS-2816	LESA SHIELDS
MAS-2864	DEANNA GIOKAS
MAS-2869	KRISTIN WURZEL
MAS-2823	MYA HODGES
MAS-2865	LINDSEY BODILY
MAS-2839	LINDSEY HUGHES
MAS-2820	MONTANA TUCKER
MAS-2847	ANDREA SCOTT
MAS-2874	YOLETZI OROZCO
MAS-2795	ZHIJIA MA
MAS-2826	MEGAN LORENTZ
MAS-2834	JESSICA FRANDSEN
MAS-2838	QIUHAO KUANG
MAS-2777	JENIFER EDMONDS
MAS-2639	SHARI WAGGONER
MAS-2814	RACHEL RIENDEAU

It was seconded by Ms. Chatburn. Motion carried.

Ms. King made a motion to approve the following applicants for licensure pending receipt of additional information and Board Chair review:

#901144545  
#901145332  
#901144199  
#901145336  
#901143726  
#901144766  
#901144795  
#901071136  
#901145499  
#901145285  
#901145249  
#901144451  
#901145198  
#901145408  
#901144225  
#901144482

#901144078  
#901145284

It was seconded by Ms. Chatburn. Motion carried.

## **CE COURSES**

Ms. King made a motion to deny the following CE course per Idaho Code 54-4003:

Thai Bamboo Foot Reflexology

It was seconded by Ms. Chatburn. Motion carried.

Ms. King made a motion to approve the following CE courses:

Muscle Channel Massage Ribs, Neck and Back	6 hours
Massage for the Elderly and Ill	9 hours
Clinical Massage for Personal Injury: How to use Massage Therapy as an effective trauma release process	4 hours
Pathology in the News	5 hours
Ethics 1: Enabling vs Empowering; Traversing the fine line of transference and counter transference for massage therapists	2 hours
Ethics in Action	1 hour
Thai Stem Massage	1 hour
Deep Tissue Unwinding	1 hour
Deep Tissue Techniques for Neck conditions	1.5 hours
Releasing restriction in the Thoracic Spine w/precision NMT	1 hour
What's the rub on ITB Friction Syndrome	1 hour
Advanced Trigger Point Techniques	1.5 hours
Good Ethics is good business	1.5 hours
Ethics in massage-roles and boundaries	2 hours
Fascia and Low back pain: Myofascial Techniques for the thoracolumbar fascia	1 hour

It was seconded by Ms. Karren. Motion carried.

## **APPLICATIONS**

Ms. King made a motion to approve the following applicants for licensure pending receipt of additional information:

#901145496  
#901145604

#901134774  
#901145200  
#901145335  
#901144543  
#901145492  
#901145501  
#901145411  
#901144501  
#901145180  
#901145171  
#901145250  
#901145179  
#901145568  
#901145497  
#901145384  
#901143725  
#901145084  
#901145489  
#901145605

It was seconded by Ms. Karren. Motion carried.

Ms. King made a motion to approve the following applicants for licensure:

MAS-2870	ALENE EGNER
MAS-2813	BRANDON DUPLANTY
MAS-2803	SUSAN TRYON

It was seconded by Ms. Chatburn. Motion carried.

**NEXT MEETING** was scheduled for 7/18/2016 8:30 AM MDT.

## **ADJOURNMENT**

Ms. Karren made a motion to adjourn the meeting at 5:51 PM MDT. It was seconded by Ms. King. Motion carried.



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Gayla Nickel, Chair

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Paul J Weston

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Linda A Chatburn

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Deborah Karren

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Gail King

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Tana Cory, Bureau Chief